

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

ROBERT W. JOINER,

Plaintiff,

v.

EMBRAER AIRCRAFT  
MAINTENANCE SERVICES, INC.,

Defendant.

Case No. 3:09-0085  
Judge William J. Haynes, Jr.

JURY DEMANDED

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**DEFENDANT'S MOTION TO QUASH SUBPOENA FOR DOCUMENTS**

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Pursuant to Rule 45(c) of the Federal Rules of Civil Procedure, Defendant Embraer Aircraft Maintenance Services, Inc. ("EAMS") moves to quash the subpoena Plaintiff improperly issued on July 7, 2011, in an attempt to "force" EAMS to produce documents at trial less than three weeks later despite the fact Plaintiff never sought these records during discovery in this case. The subpoena is untimely, and it would be unduly burdensome for EMAS to be forced to divert its attention from trial preparation in order to produce documents Plaintiff never requested during discovery in this case. In support of its motion, EAMS relies upon and incorporates by reference its contemporaneously filed supporting Memorandum of Law and the defective subpoena attached hereto as Exhibit 1.

*Quash*  
*For the reasons stated in*  
*open court, the motion is DENIED*  
*but production is limited to*  
*the Defendant's ability to produce*  
*these documents at trial.*

*Will [Signature]*  
*7-26-11*